

Serial No. 10/527,574
Amdt. dated March 2, 2009
Reply to Office Action dated October 28, 2008

PATENT
PF020112
Customer No. 24498

Remarks/Arguments

Claims 1-9 were pending in the application.

In the present amendment, claims 1 and 9 are amended to more clearly and distinctly claim the subject matter that Applicants regard as the invention. The support for the claim amendment may be found, for example, in Applicants' specification, paragraph [0075], page 11 line 35 – page 12 line 3. No new matter is believed to be added.

Claim 8 is cancelled without prejudice.

Claims 1 – 7 and 9 are now pending in the application.

Rejection of claims 1 – 9 under 35 U.S.C. 112, first paragraph, as failing to comply with written description requirement

Applicants submit that amended claims 1 and 9 are fully supported by Applicants' written description. For example, the features where the portal having the highest number of virtual ports is elected as the parent portal can be found in Applicants' specification, paragraph [0075], page 11, line 35 – page 12, line 3. Withdrawal of the rejection of claims 1 – 7 and 9 under 35 U.S.C. 112, first paragraph, is respectfully requested.

Rejection of claims 1 – 9 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention

Applicants submit that claims 1 and 9 are amended to obviate this rejection. Applicants submit that claims 1 – 7 and 9 are now definite. Withdrawal of the rejection of claims 1 – 9 under 35 U.S.C. 112, second paragraph, is respectfully requested.

Rejection of claims 1 – 3, 6 and 9 under 35 U.S.C. 103(a) as being unpatentable over Ichikawa et al. ("Frame Transfer Protocol with Shortcut between Wireless Bridges"), hereinafter "Ichikawa", in view of Hart ("Extending the IEEE 802.1 MAC Bridge Standard to Remote Bridges") and Mahajan et al. (US Pat. 6,628,624), hereinafter "Mahajan"

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Applicants submit that for at least the reasons discussed below claims 1 – 3, 6 and 9 are patentable over Ichikawa, Hart and Mahajan, either singly or in combination.

For example, amended claim 1, in part, requires

"determining for each bridge portal the number of ports adapted to connect other wireless devices;

electing the bridge portal with the greatest number of such ports as parent portal."

In the Office Action, page 4, it is conceded by the Office that Ichikawa does not disclose a root (parent) election procedure that is based on the number of ports of a bridge.

The Office also cited Hart, which discloses a root election process where the bridge with the most bridge ports is elected as the root. However, Hart's teaching is related to IEEE 802.1 standard for LAN. Therefore, the bridge ports in Hart are wired ports, not wireless ports. Hart does not teach or suggest any determining the number of ports adapted to connect other wireless devices. Consequently, Hart does not disclose that the bridge having the most wireless ports is elected as the parent port.

Furthermore, Applicants submit that combining the teachings of Ichikawa and Hart would not arrive at the claimed invention. This is because Ichikawa discloses that there are ports connected to the LAN or neighbor APs (page 1706, first column, lines 1 – 2), thus the ports in Ichikawa comprise wired LAN ports. The root election in Hart must necessarily involve the number of LAN ports. Therefore, even combined with the teaching of Hart, a person of ordinary skill in the art would not arrive at electing the bridge portal having the most wireless ports as the parent portal, as claimed.

The Office also cited Mahajan, which discloses that administratively disabled ports are excluded from the spanning tree. However, Applicants submit that Mahajan fails to cure the defects found in Ichikawa and Hart as applied to claim 1 as discussed above, because Mahajan only discloses disabled ports in the spanning tree, it does not disclose the election of parent portal based on the number of wireless ports.

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In view of at least the foregoing reasons, Applicants submit that claim 1 is patentable over Ichikawa, Hart and Mahajan, either singly or in combination.

Similarly, independent claim 9, in part, requires:

"said microprocessor means being adapted to participate in a parent portal election process among bridge portals which is a function of the number of ports on the wireless interfaces of portal devices of the wireless bridge."

Similar to the arguments set forth above for claim 1, Applicants submit that nothing in Ichikawa, Hart and Mahajan discloses the electing the parent portal based on the number of wireless ports. Therefore, for at least the above reasons, claim 9 is patentable over Ichikawa, Hart and Mahajan.

Claims 2, 3 and 6 depend from claim 1 and inherit all the features of claim 1. Thus, claims 2, 3 and 6 are patentable for at least the reason that they depend from claim 1, with each claim containing further distinguishing features not found in the cited combination of references.

Withdrawal of the rejection of claims 1 – 3, 6 and 9 under 35 U.S.C. 103(a) is respectfully requested.

Rejection of claim 4 under 35 U.S.C. 103(a) as being unpatentable over Ichikawa in view of Hart and Mahajan, and further in view of IEEE Standard 802.1w

Rejection of claim 5 under 35 U.S.C. 103(a) as being unpatentable over Ichikawa in view of Hart, Mahajan and IEEE Standard 802.1w, and further in view of Moriya (US Pg Pub 2002/0027887)

Rejection of claim 7 under 35 U.S.C. 103(a) as being unpatentable over Ichikawa in view of Hart and Mahajan, and further in view of Meier (WO 95/12942)

Applicants submit that none of the secondary references cited above can cure the defects pointed out above with respect to the combination of Ichikawa, Hart and Mahajan as applied to claim 1. Claims 4, 5 and 7 depend from claim 1 and inherit all the features of claim 1. Applicants essentially repeat the above

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arguments from claim 1 and apply them to each dependent claim. Thus, claims 4, 5 and 7 are patentable for at least the reason that they depend from claim 1, with each claim containing further distinguishing features not found in the combination of references. Withdrawal of the rejection of claims 4, 5 and 7 under 35 U.S.C. 103(a) is respectfully requested.

Rejection of claim 8 under 35 U.S.C. 103(a) as being unpatentable over Ichikawa in view of Hart and Mahajan, and further in view of Brown et al. (US Pat 5,606,664), hereinafter "Brown"

Claim 8 is cancelled, obviating this rejection. Withdrawal of the rejection of claim 8 under 35 U.S.C. 103(a) is respectfully requested.

Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the Applicants' attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

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